## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

LANDMARK LEGAL FOUNDATION	)	
Plaintiff,	)	
V.	)	Civil Action No. 12-1726 (RCL)
ENVIRONMENTAL PROTECTION AGENCY,	) )	
,	)	
Defendant.	)	
	)	

## **DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE REPLY**

In accordance with Federal Rule of Civil Procedure 6(b)(1), defendant, by and through undersigned counsel, respectfully requests that the Court extend the time to file its Reply to Plaintiff's Opposition to Defendant's Motion for Summary Judgment by thirty days up to and including, July 24, 2013. The reply is currently due on June 24, 2013. Defendant needs more time to write the Reply for the reason set forth below.

Undersigned counsel is currently in trial in <u>Rhodes v. USA</u>, 12-0449 (BAH). Trial began on June 19, 2013 and will continue until June 25, 2013. Because this is a bench trial, Statements of Facts and Conclusions of Law will be required directly after the trial. More time is needed because the trial including trial preparation has consumed all of counsel's time.

Pursuant to Local Civil Rule 7(m), undersigned counsel has contacted Plaintiff's counsel regarding this motion and they have agreed not to oppose this motion.

For the reason cited above, Defendant requests an extension of time to file its motion with the Court on July 24, 2013.

Respectfully submitted,

RONALD C. MACHEN JR, D.C. BAR #447889 United States Attorney

DANIEL VAN HORN, D.C. BAR # 924092 Civil Chief

By: \_\_\_\_\_/s/\_\_\_\_

HEATHER GRAHAM-OLIVER Assistant United States Attorney Judiciary Center Building 555 4th St., N.W. Washington, D.C. 20530 (202) 305-1334

Heather.Graham-Oliver@usdoj.gov